

FILED BY ME D.C.

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TENNESSEE
WESTERN DIVISION

05 NOV 10 PM 4:56

THOMAS M. GOULD
CLERK, U.S. DISTRICT COURT
WD OF TN, MEMPHIS

O'NEAL DANDRIDGE,

X

Plaintiff,

X

vs.

X

No. 05-2594-B/V

OKTAEI HOOMAN, M.D.,

X

Defendants.

X

X

ORDER OF DISMISSAL

Plaintiff O'Neal Dandridge filed a pro se complaint on the form used for commencing actions pursuant to 42 U.S.C. § 1983 on August 16, 2005, along with a motion seeking leave to proceed in forma pauperis. The Court issued an order on August 29, 2005 denying leave to proceed in forma pauperis and directing the plaintiff to pay the \$250 civil filing fee within thirty days. The order provided that "[f]ailure to timely comply with this order will result in dismissal of this action, pursuant to Fed. R. Civ. P. 41(b), for failure to prosecute." 08/29/2005 Order at 2.

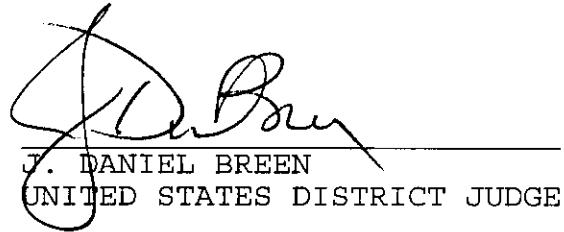
The time set for compliance with the August 29, 2005 order has expired, and plaintiff has not paid the civil filing fee or otherwise responded to the order. Therefore, the Court DISMISSES

This document entered on the docket sheet in compliance
with Rule 58 and/or 79(a) FRCP on 11-14-05

(A)

the action without prejudice, pursuant to Fed. R. Civ. P. 41(b), for failure to prosecute.

IT IS SO ORDERED this 10th day of November, 2005.


J. DANIEL BREEN
UNITED STATES DISTRICT JUDGE



Notice of Distribution

This notice confirms a copy of the document docketed as number 4 in case 2:05-CV-02594 was distributed by fax, mail, or direct printing on November 14, 2005 to the parties listed.

O'Neal Dandridge
3120 Alta Road
Memphis, TN 38109

Honorable J. Breen
US DISTRICT COURT